

REMARKS

Claims 1, 14, and 15 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 14, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawaura (U.S. Pat. No. 4,477,061) in view of Knable (U.S. Pat. No. 4,711,463). This rejection is respectfully traversed.

Claim 1 has been amended to recite that the stop buffers are snap-fit into recesses formed in said end faces of the inner ring. This subject matter is described at, for example, Figure 2 where it can be seen that the stop buffers 11 and 12 are snap-fit into recesses 30. This subject matter is also described at page 5, lines 16-18. No new matter has been added.

With respect to claim 14, this claim has been amended to recite that the inner ring has two end faces with a plurality of openings that extend axially between the end faces, wherein the stop buffers being disposed in the openings. This subject matter is described at, for example, Figure 3 where it can be seen that the stop buffers 11 and 12 are disposed in the openings 32 that extend axially between the end faces 9 and 10 of the inner ring 2. This subject matter is also described at page 5, lines 20-25. No new matter has been added.

The alleged combination of Kawaura and Knable fails to teach or suggest these configurations. That is, Kawaura, in contrast, is directed to a spring strut that includes an inner ring 24 and an insulator rubber 26. Elastic members 30 and 32 are integral

with the insulator rubber 26. Because the elastic members 30 and 32 are integral with the insulator rubber 26, there is no teaching or suggestion that would lead one skilled in the art to modify the inner ring 24 to have either recesses or openings to accommodate the claimed stop buffers. Because this teaching or suggestion is absent from the cited prior art references, claims 1 and 14 would not have been obvious.

Further, the Examiner alleges that although Kawaura does not teach an annular stop buffer that is independent from an elastic spring element, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make two components from a single component as an obvious matter of design choice. Notwithstanding, Applicant respectfully asserts that rejections based on 35 U.S.C. § 103 must rest on a factual basis. In making such a rejection, the Examiner has the initial duty of supplying the requisite factual basis and may not, because of doubts that the invention is patentable, resort to speculation, unfounded assumptions or hindsight reconstruction to supply deficiencies in a factual basis. *In re Warner*, 379 F.2d Count 11, 1017, 154 USPQ 173, 178 (CCPA 1967), *Cert. denied*. 389 US 1057 (1968). Evidence of a suggestion, teaching or motivation to combine may flow from the prior art references themselves, the knowledge of one of ordinary skill in the art, or in some cases, from the nature of the problem to be solved, although the suggestion more often comes from the teachings of the pertinent references. The range of sources available, however, does not diminish the requirement for actual evidence. That is, the showing must be clear and particular. Broad conclusory statements regarding the teaching of multiple references, standing alone are not “evidence.” *In re Demnibiczak*, 175 F.3d 994, 999, 50 USPQ 2d 1614, 1617 (Fed. Cir. 1999). Even when obviousness is based

on a single prior art reference, there must be a showing of a suggestion or motivation to modify the teachings of that reference. See *In re Kotzab*, 217 F.3d 1365, 1670, 55 USPQ 2d 1313, 1316-17 (Fed. Cir. 2000).

The present invention recites that the inner ring has two end faces, on each of which has at least one elastically flexible cellular polyurethane annular stop buffer independent from the at least one elastic spring element. This is shown, for example, in Figures 2 and 3 wherein the annular stop buffers 11 and 12 are formed on the inner ring 2. These annular stop buffers 11 and 12 are independent from an elastic element 8.

In contrast, the cited prior art reference Kawaura teaches an inner ring 24 and an insulator rubber 26. Elastic members 30 and 32 are integral with the insulator rubber 26. This is different from the claimed invention, because as claimed the annular stop buffers are independent from the at least one elastic spring element. Further, Kawaura contains no teaching, suggestion, or motivation to make the annular stop buffers independent from the insulator rubber 26. Accordingly, Applicant respectfully asserts that neither Kawaura nor Knable teach or suggest, or provide any factual basis, for which the Examiner can make an obviousness rejection. That is, the Examiner has no factual basis to suggest that it would have been obvious to make the annular stop buffers into independent components from the elastic spring element. Because there is no factual basis, and no teaching or suggestion in either reference, Applicant respectfully asserts that the claimed invention defined in Claims 1 and 14 -16 would not have been obvious in view of the combination of references Kawaura and Knable.

Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

NEW CLAIM

New claim 16 has been added. This new claim is supported at page 5, line 18 of the specification. No new matter has been added. Claim 16 is neither anticipated nor obvious and is in condition for allowance. Favorable consideration of this new claim is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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